IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 12641 of 2007(E)

PETITIONER:

B.DIVAKARAN NAIR, DEEPA WOOD INDUSTRIES
AND SAW MILL, EDAVA P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.BLAZE K.JOSE

RESPONDENTS:

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1. EDAVA GRAMA PANCHAYATH,
EDAVA, THIRUVANANTHAPURAM, REP. BY ITS
SECRETARY.

2. DIVISIONAL FOREST OFFICER,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.RAJAGOPALAN NAIR
BY GOVT. PLEADER SRI. RANJITH THAMPAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.12641 of 2007

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Dated this the 25th day of June, 2007

JUDGMENT

Petitioner challenges Ext.P11 issued by the respondent Panchayat. Petitioner has submitted Ext.P12 to the respondent Panchayat offering his explanation. Ext.P11 order is based on Ext.P10. According to the petitioner it is an ex-parte order. According to the petitioner he is entitled to get the licence renewed without NOC from the Forest Officer as he was continuing prior to 29.10.2002. Petitioner has any way preferred Exts.P12 and P13. In such circumstances the writ petition is disposed of as follows:

There will be a direction to the first respondent to consider and take a decision on Ext.P12 within a period of six weeks from the date of receipt of a copy of this judgment. The second respondent will also consider and take a decision on Ext.P13 filed by the petitioner within a period of one month from the date of receipt of a copy of this judgment. Both the respondents will take decisions as aforesaid after affording an opportunity of hearing to the petitioner. The second

respondent will communicate the decision taken directly to the first respondent within a period of one week from the date of taking the decision. Till such time as a decision is taken, the interim order will continue.

(K.M. JOSEPH, JUDGE)

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